DOCUMENT RESUME

ED 239 457 EC 161 194

AUTHOR McLean, Marguerite
TITLE An Approach for Identifying Language Minority Students with Exceptional Needs.
PUB DATE 82
NOTE 9p.; Paper contained in "Special Education and the Bilingual Child." Proceedings of a Conference (Pasadena, CA, December 3, 1981), edited by Alberto M. Ochoa and Juan Hurtado. See EC 161 187.
PUB TYPE Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Disabilities; Elementary Secondary Education; *Handicap Identification; *Limited English Speaking; *Referral; *Student Evaluation

ABSTRACT

Identification of language minority students with exceptional needs requires careful consideration. Students may be referred for no language proficiency, perceptual rather than academic difficulties, or lack of progress in current program. In California, team referral begins as an informal process. Among factors considered during the identification process are the student's language of instruction based on assessment of reading, writing, speaking, and comprehension; appropriate level of difficulty in materials; and the use of the support system to allow the student to move from the special education program into the bilingual and other regular programs. A flow chart specifies contingency steps in the identification process and presents an approach for meeting compliance issues in special education and bilingual education legislation. (CL)

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AN APPROACH FOR IDENTIFYING LANGUAGE MINORITY STUDENTS WITH EXCEPTIONAL NEEDS

Ms. Marguerite McLean, Program Specialist
San Diego County Superintendent of Schools

Introduction

The identification of a bilingual child who may need special services is a particularly difficult process. Learning a new language, while also learning how to act in school and how to take tests, can make many children appear exceptional. Separating the exceptional bilingual children from those who will develop normally, requires careful attention to the variety of factors described in this section. After referral, further steps are indicated that can assure accurate evaluation and placement.

I. How should LEP students with suspected disabilities be identified and referred for special education services?

There are basically four periods of time when a student might be referred for special education. Each of these periods are graduated in severity.

First, if the Home Language Survey indicates a language other than English and the Oral Proficiency Exam indicates no language proficiency in English or another language, then this child should be referred to the school site team. Lack of language acquisition in any language indicates a possible delayed language child, a disordered language processing child, or a nonverbal child.

Second, if the Oral Proficiency Exam indicates a student is LEP, then placement is made in the AB 507 program. Parallel assessment in English and the other language for reading, writing, comprehension, and speaking is

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administered. The examiner may notice difficulties which could be termed perceptual rather than academic. Perceptual difficulties occur most often in written assessment and frequently in reading. Perceptual disorders inhibit the child from receiving and expressing academic knowledge and the child will need special techniques, materials, and methods for instruction. This child should remain in the AB 507 program, while the bilingual teacher joins the school site team with all assessment and classroom information available to discuss referral for special education.

Third, the student may be FEP based on the Oral Proficiency Exam, but LEP based on parallel assessment in reading, writing, comprehension, and speaking. If difficulty does not seem to be due to lack of previous formal schooling or number of years in the country, such that inability to learn to read and write could be due to a previously undefined learning difficulty, then continue the child in an AB 507 program and refer to the school site team.

Finally, the LEP student in the AB 507 program may not be making satisfactory progress at the time of review. Consider whether ample time (based on the student's background) has been allowed for primary language proficiency and English acquisition. Any lack of progress academically may be an indicator of a previously undefined learning difficulty. Some considerations for making the decision about referring the student should be:

1. The number of years the student has been in this country,
2. The number of years the student has had formal schooling,
3. The student's language use in various settings,
4. The student's cultural or economical variances that may affect movement in the academic setting, and,
5. Any other family background information and comparisons that may be necessary.

If these factors are not potential causes, then the student should be

referred to the school site team for whatever reason. The teacher of the AB 507 program having the most experience with the student should meet with the team as an equal member. The school site team approach is an informal process because special education legislation emphasizes that all options of the regular program must be considered and used, where appropriate, before the student is formally referred for special education.

SCHOOL SITE TEAM REFERRAL

The referral to the school site team begins as an informal process. The team should always include the bilingual teacher of the child because, although the student has been assessed in English and the primary language through the use of several diagnostic tools, the teacher is able to collect work samples while the student is in the AB 507 program. All of these pieces of information are valuable data to the school site team and should be brought to the initial meeting. These data will allow the team to decide any further assessments or further modifications of the regular program to be made before a formal referral takes place. This process assures the least restrictive environment and assessment in that several of the assessments already completed do not need to be redone.

If all of the options of the regular program were considered and were appropriately utilized, and no progress has been made in terms of the student's ability to learn within the academic setting of the AB 507 program, then a formal referral for special education should be made. Once the formal referral has been started, the 50 day deadline is in existence that governs the student's movement through the process to a development of the IEP and, for the limited English proficient student, the ILP.

During the process of identifying the student for an AB 507 program, the bilingual specialist determines the language of instruction based on parallel

assessement of reading, writing, speaking, and comprehension abilities. The language of instruction is a key issue when developing an individualized educational program for the student. If the key language of instruction was the primary language, it is advised that the same language should be used to establish the linguistically appropriate goals and objectives in special education. The language of instruction does not necessarily need to be given by the special education teacher if other methods for delivering service can be maintained. These other methods could include continued involvement in the AB 507 program as a mainstreaming from the special education resource program. The language of instruction, in the primary language of the student, could be provided by the teacher of the bilingual program.

Another area for consideration essential to development of an IEP/ILP is the appropriate level of difficulty of the materials to be used. This level needs to be considered for both the academic difficulty and the language loading of any material to be presented.

Because the LEP student with exceptional needs is a unique individual, a more stringent consideration needs to be placed on the support system that would allow the student to easily move from the special education program into the bilingual and other regular programs. The support system needs to be addressed in the development of the IEP/ILP.

In education, we expect excellent programs. For the limited English proficient student with special learning needs, we must continue to expect excellent program offerings. Therefore, every attempt must be made to continue staff development for all individuals serving this particular population. The school district must make every effort to hire as many qualified individuals to teach in both the bilingual program and the special education program.

Monitoring the student's progress is essential because the goal of bilingual education is to enable the student to become proficient in English. The goal of special education is to equip the individual with skills for competing with nonhandicapped peers in any setting in society. Because the goals of these two programs are essentially the same, or at least compatible, the monitoring system built into the individualized educational program must ensure that these goals are being met.

II. How should the limited English proficient handicapped student be identified for bilingual education services?

Based on English proficiency and the primary language, if a student is being served in a special education program and also qualifies, for the bilingual program under the laws of AB 507, the student should be served as needed jointly by both programs.

III. How should the procedures for bilingual and special education be integrated to ensure that accurate identification and referral occurs?

This was described in question number one in terms of the logical sequence of events following a student's school entry until the determination is made for the AB 507 program, or for a special education program, and the possible joining of the two services. Further suggestions follow in the form of a flow chart. This chart shows the pragmatic aspects of meeting the compliance issues in both AB 507 and SB 1870. The chart can be used in a district or school site program for integrating the requirements and the spirit of these laws. Bilingual and special education specialists and programs must be open to each others' offerings and concerns regarding the limited English proficient special education students.

As California becomes more and more involved in the many language groups that are settling in the area, it is obvious that issues of limited English

proficiency will continue to be a concern. In the South San Diego County area especially, the majority student is the one who is limited English proficient and the minority student is the student with complete English proficiencies. Therefore, any programs serving the San Diego area must continuously include bilingual program experts when developing procedures and policies for all educational programs.

AN APPROACH FOR IDENTIFYING

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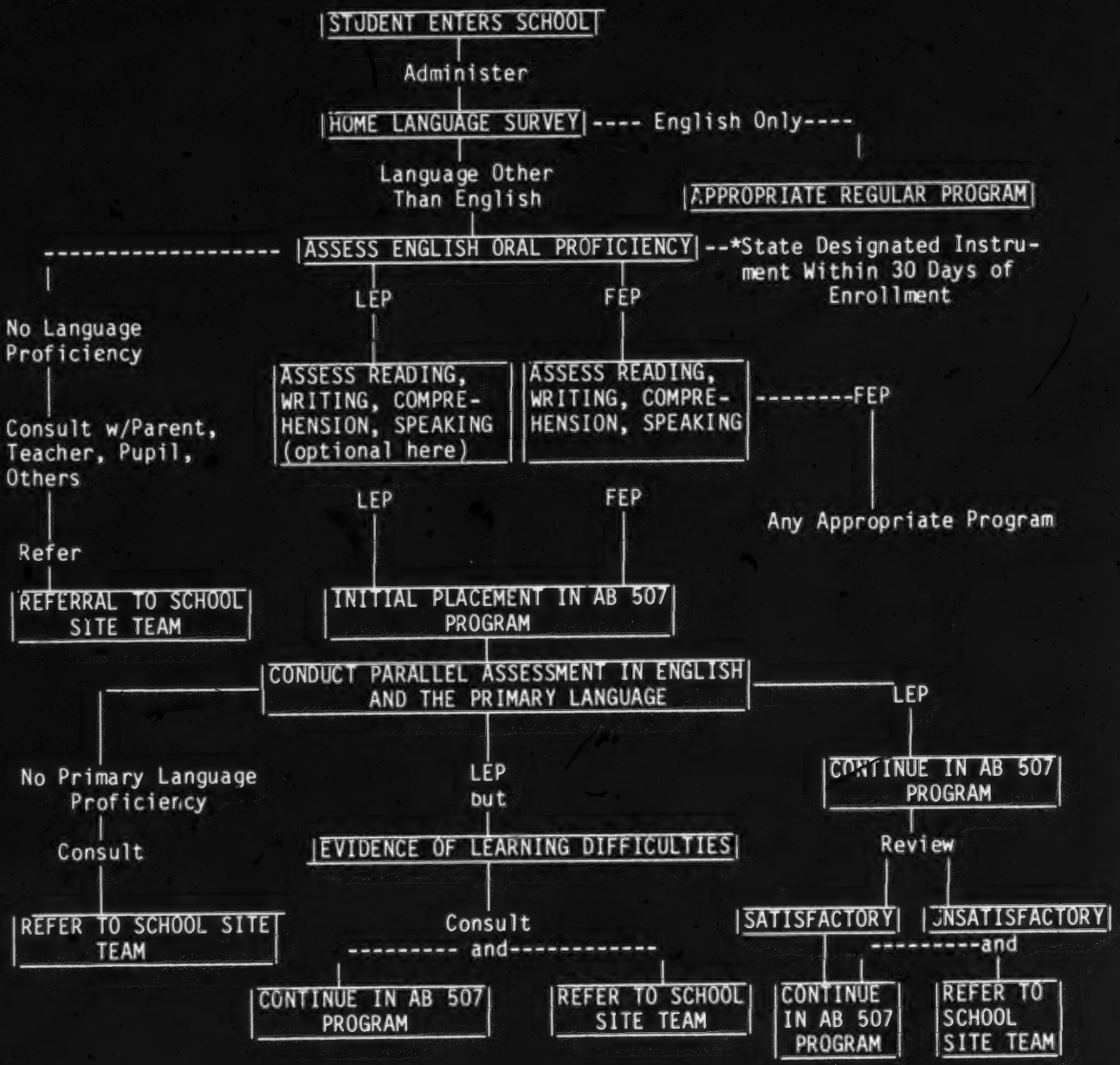
The following is a flow chart identifying a process with contingency steps.

PROCESS BEGINS:



The student has not been referred to the school site team, and also remains in the AB 507 program.

PROCESS CONTINUES: